

**Indoor LAW REPORT Pollution****Brief Exposures****EDITOR-IN-CHIEF**

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**Radon MCL.** This summer, the EPA will likely propose a Maximum Contaminant Level (MCL) for waterborne radon of 500 picocuries per liter, according to Bruce Lamarre, president of North East Environmental Products Inc., a manufacturer of waterborne radon removal systems. Some health experts charge that the standard is overdue, claiming that waterborne radon may be responsible for as many as 5 percent to 10 percent of radon-related lung cancer deaths each year. Lamarre indicated that the 1986 Amendments to the Safe Drinking Water Act required the EPA to propose an MCL, but disagreements between the Office of Drinking Water and the Office of Radiation Programs have caused delays in the proposed standard.

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**Airborne Risks.** Twelve to 16 airline crew members per 100,000 are estimated to die prematurely each year from lung cancer due to exposure to second-hand cigarette smoke, according to a final report, "Airliner Cabin Environment: Contaminant Measurements, Health Risks, and Mitigation Options," prepared for the U.S. Department of Transportation in December 1989. The study measured various contaminants in environmental tobacco smoke (ETS), such as nicotine, respirable suspended particles and carbon monoxide, as well as the potential health effects of ozone, microbial aerosols, carbon dioxide and cosmic radiation on 92 flights between April and June of 1989.

The report estimated lifetime cancer risks from ETS exposure for passengers to be 0.06 to 0.83 deaths per 100,000. While levels of ETS concentrations were found to be small in both the non-smoking sections of flights and in non-smoking flights, the boundary section on smoking flights showed 35 to 50 percent higher levels than on non-smoking flights. With the smoking ban on virtually all domestic flights, the risk of premature deaths from ETS exposure is expected to decrease dramatically.

Cosmic radiation, which varies depending on the altitude and latitude of each flight, was estimated to cause 45 to 1,026 premature cancer deaths per 100,000 for cabin crew members flying 960 hours annually on domestic flights for 20 years and from 220 to 512 premature deaths per 100,000 individuals flying for 10 years on international flights. In addition, the report found that fetal exposure during the second to the 26th week of pregnancy substantially elevates the risk of abnormalities and retardation. The other pollutants studied—ozone, microbial aerosols and carbon dioxide—were not found to pose any health risks.

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**No Review.** The U.S. Supreme Court ruled on Feb. 20 that it will not review a decision holding that a Maryland church cannot sue a company that supplied it with asbestos-containing acoustical plaster. In *First United Methodist Church of Hyattsville v. U.S. Gypsum Co.*, No. 89-728, the U.S. Court of Appeals for the Fourth Circuit held that \$225,000 used for asbestos abatement was not recoverable under the Comprehensive Environmental Response, Compensation, and Liability Act. In addition, the court found that the church's claims were barred by a statute of limitations that placed a 20-year limit on lawsuits involving renovations to private property. (See *Indoor Pollution Law Report*, February 1990, p. 7.)